

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 MAR 26 AM 10:26

UNITED STATES OF AMERICA,

Plaintiff,

v.

Florentino VALDEZ-Godina,

Defendant

Magistrate Docket No.

'08 MJ 0926

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **March 25, 2008** within the Southern District of California, defendant, **Florentino VALDEZ-Godina**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James E. Bailey
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF MARCH, 2008.



William McCurine, Jr.
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**William McCurine, Jr.****PROBABLE CAUSE STATEMENT**

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, Criminal Alien Squad utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States in violation of the Immigration and Nationality Act. Through record checks, Agents discovered that the defendant **Florentino VALDEZ-Godina**, a previously deported criminal alien, was possibly residing in Lemon Grove, California.

On March 25, 2008, Border Patrol Agents A. Cacho and A. Pacheco were conducted surveillance at a residence on Dartmoor Drive, Lemon Grove, California based on information received that the defendant Florentino VALDEZ-Godiva was back in the United States illegally. At approximately 6:00 PM, both agents observed a man matching the description and likeness of the defendant, exiting the house. Agents Cacho and Pacheco approached the individual and identified themselves as United States Border Patrol Agents. Agents questioned the subject as to his identity and his immigration status. The defendant stated that he was in fact Florentino VALDEZ-Godina. Agents asked the defendant about his citizenship and nationality. The defendant stated that he was born in Guadalajara, Jalisco, Mexico. Agents questioned the defendant if he had any immigration documents that would allow him to remain in the United States legally. The defendant stated that he did not. The defendant was arrested and transported to the Chula Vista Border Patrol Station.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on December 6, 2007 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.



SIGNATURE OF COMPLAINANT

James E. Bailey

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF MARCH, 2008.



William McCurine, Jr.

UNITED STATES MAGISTRATE JUDGE